

BartlitBeck_{LLP}

Adam L. Hoeflich
Adam.Hoeflich@BartlitBeck.com

June 27, 2023

VIA CM/ECF

United States Court of Appeals for the Ninth Circuit
The James R. Browning Courthouse
95 7th Street
San Francisco, CA 94103

Courthouse Place
54 West Hubbard Street
Chicago, IL 60654
main: (312) 494-4400
direct: (312) 494-4473

BartlitBeck.com

Re: Request for Ruling on Extension of Time to File Answering Brief,
Carr v. Google LLC, No. 23-15285

Dear Members of the Panel:

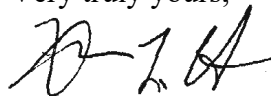
I am counsel for Plaintiffs-Appellees and respectfully request that the panel rule on the unopposed motion for an extension of time for Plaintiffs to file their answering brief. This case is a Rule 23(f) appeal of the District Court's certification of a consumer class action alleging that Google committed antitrust violations to obtain a dominant position for its app store. Google filed its opening brief on June 8, 2023, making the answering brief due on July 10, 2023. On June 15, 2023, under Circuit Rule 31-2.2(b), Plaintiffs moved for a 21-day extension, which would make the brief due on July 31, 2023. ECF 39.

Because Plaintiffs' counsel and their families have planned travel beginning this Friday for the July 4th holiday, and because I am supposed to be out of the country from July 6–July 9, we are writing to ask the Court for a ruling on the extension. We apologize for making this request. But without clarification by the end of this week, counsel will cancel these plans because of the amount of work required between now and the July 10 deadline.

Google does not oppose the extension motion so long as it does not affect the scheduling of argument for the week of September 11, 2023. And as outlined in our motion to extend time, good cause exists for the requested extension. Additional time is necessary to appropriately address the substantial and complex (and lengthy) factual and economic record underlying this appeal. I did not represent Plaintiffs during the class certification proceedings at the district court and thus required time to familiarize myself with the relevant issues and record. In addition, several co-counsel will be reviewing this answering brief. An extension of time would better enable preparing a response that would be most helpful to the Court.

Accordingly, Plaintiffs request that the Court extend the time for filing an answering brief to July 31, 2023.

Very truly yours,



Adam L. Hoeflich